

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JANET M. HARVEY, )  
                        )  
                        )  
Plaintiff,           )                           1:03CV00417  
                        )  
                        )  
v.                     )  
                        )  
JO ANNE B. BARNHART, )  
Commissioner of Social Security, )  
                        )  
                        )  
Defendant.           )

**RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The Court has reviewed the Commissioner's motion to dismiss for lack of prosecution (Pleading No. 14) and has noted Plaintiff's reported statement that she no longer wishes to pursue the matter. On the basis of this review, **IT IS RECOMMENDED** that the Commissioner's motion be granted and that this action be dismissed.

/s/ P. Trevor Sharp

United States Magistrate Judge

Date: January 3, 2006